

UNITED STATES DISTRICT COURT

for the

District of Delaware

XPOINT TECHNOLOGIES, INC.

Plaintiff

v.

MICROSOFT CORPORATION, et al.

Defendant

Civil Action No. 09-cv-0628

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Apple, Inc.
One Infinite Loop
Cupertino, CA 95014

A lawsuit has been filed against you.

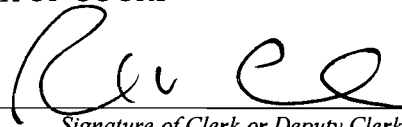
Within 20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

David J. Margules
Bouchard Margules & Friedlander
222 Delaware Avenue, Suite 1400
Wilmington, DE 19801

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: AUG 28 2009


Signature of Clerk or Deputy Clerk

RETURN OF SERVICE

UNITED STATES DISTRICT COURT District of Delaware

Case Number: 09-CV-0628

Plaintiff:

XPoint Technologies, Inc.

vs.

Defendant:

Microsoft Corporation, et al

For:

David J. Margules, Esq.

Bouchard, Margules & Friedlander

222 Delaware Ave, Ste 1400

Wilmington, DE 19801

Received by Brandywine Process Servers, LTD on the 2nd day of September, 2009 at 12:01 pm to be served on **Apple, Inc, One Infinite Loop, Cupertino, CA 95014.**

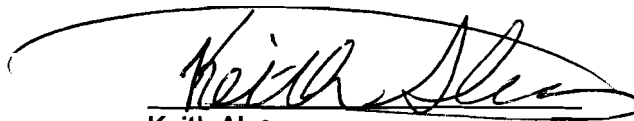
I, Keith Alves, do hereby affirm that on the **2nd day of September, 2009 at 4:15 pm, I:**

I served the within, **Summons in a Civil Action; Rule 7.1 Statement of Plaintiff XPoint Technologies, Inc.; Complaint for Patent Infringement; Civil Cover Sheet; Acknowledgment of Receipt for (2) Copies of AO Forms 85 and 85A**, on the listed individual in said action by hand delivering true copies thereof to the following ;

Apple, Inc, One Infinite Loop, Cupertino, CA 95014,
by serving; **Anh Nguyen , Legal Specialist, Authorized To Accept**

Description of Person Served: Age: 40, Sex: F, Race/Skin Color: Asian, Height: 5'9", Weight: 140, Hair: Black, Glasses: N

Under penalty of perjury I certify that I am over the age of 18, have no interest in the above action, and am a Registered Process Server, in good standing, in the State of California, County of Santa Clara.



Keith Alves
1264

KEITH F. ALVES
SANTA CLARA COUNTY #1264

Brandywine Process Servers, LTD
2500 Delaware Ave.
Wilmington, DE 19806
(800) 952-2288

Our Job Serial Number: 2009007801

Service Fee: _____